

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

3232 Central Market LLC., DBA
Central Market of Indiana Inc.

And

Cases: 13 – CA - 172778
13 – CA - 173389
13 – CA - 194865

Local 881, United Food and Commercial
Workers Union

MOTION TO ALLOW CENTRAL MARKET’S
RESPONSE TO THE SHOW CAUSE NOTICE

NOW COMES the Central Market thru its Manager Zafar Sheikh, acting pro-se,
who files this Motion, which seeks the Board (NLRB) to allow and entertain the
“response to the show cause Notice by the National Labor Relations Board”.

In support whereof the respondent states as follows:

- 1- Central Market received a “Notice to show cause” and it was advised in that
show cause Notice that Central Market should file its response which was to
be received by the Board no later than the 14th of March.
- 2- Though Central Market has been closed since at least a year, to be precise
since April of 2017, and has no operation, or funds or any other assets at its
disposal, but still, I as being the manager of the defunct business realized that
the union had misrepresented the facts and was implying as if the business
was still running and was operational.

- 3- Central Market has been closed and has no basis or means to either employ or re-employ the workers that worked for it during its operation, or pay any benefits etc., but still a response is essential for the record.
- 4- As such it was important to rebut the Union's misrepresentations and so therefore I decided to respond to those allegations.
- 5- I drafted the response and according to the best of my recollection deposited the response in the U.S. mail on the evening of March the 13th or early morning of March the 14th.
- 6- Last week I received a letter from a para legal who works for the NLRB and advised me that the response was "late" since it was post marked on the 14th of March instead of the mandated 13th of March.
- 7- This mistake or tardiness was not intentional and should not be made a basis of denying our response to be admitted into evidence.
- 8- The admittance of this response will not prejudice any party as it is not going to affect the complaint filed by the Union nor hurt them in any way.

signed/zafar sheikh
Central Market of Indiana
3155 West Wallen Avenue,
Chicago. IL. 60645.

AFFIDAVIT

I Zafar Sheikh being first duly sworn do file the following affidavit under oath.

- 1- That I was the manager of the Central Market of Indiana, a grocery store which was located in Lake Station, Indiana.
- 2- That Central market has been closed since at least April of 2017. The assertions and representations of Union 881 and their lawfirm, who should have done due diligence before representing to the NLRB that Central Market is still operational and in business is completely false. Additionally the Bank who granted Central Market the loan to finance the business has filed foreclosure,
- 3- Central Market was asked sometime earlier this year to show cause as to why Central Market had failed to respond to the complaints filed by the Union 881.
- 4- The response to the show cause Notice was to be filed either by the 13th of March or the should have been received by the NLRB by the 14th of March.
- 5- Though the Central Market has been shut down for over a year, still I decided to respond and present our side of the story to the Board. It was my understanding, that probably the response has to be filed by the 14th of March, instead of reaching the Board on that date.
- 6- As such to the best of my recollection, I prepared the response on behalf of the Central Market and deposited it in the U.S. mail either on the 13th of March or the early hours of 14th of March.
- 7- That this delay was not intentional and it is believed that this delay will not prejudice the Union in any way. Furthermore our response will provide the Board

a better understanding of the circumstances which the Union has complained about.

8- I also diligently tried to efile my response and went to the NLRB website.

Unluckily after many attempts I failed to efile and decided to mail my response by the U.S. mail. Had I been successful in efilng my response, Central Market's response would have been timely as defined by the NLRB rules.

9- That the statements above are true and correct to the best of my knowledge and belief and being provided under the penalty of perjury.

signed/zafar sheikh

I, Zafar Sheikh do hereby state under oath that I have served the attached response to the “show cause notice” on the 23rd of April 2018 to the following parties:

Service List

National Labor Relations Board
1015 Half Street SE
Washington. D.C. 20003.

National Labor Relations board
219 S. Dearborn, Suite 808
Chicago. IL. 60603.

Jonathan Karmel
Karmel Law firm
221 North LaSalle Street,
Suite 2900
Chicago. IL. 60601.

Anthony Malito
Local 881, United food workers union
10400 Higgins Road
Rosemont. IL. 60018.

Nicholas Clark
United Food Workers Union
1775 K Street, NW Bsmnt
Washington. D.C. 20006.